

A. G. Contract No. KR94 0164TRN
ECS File: JPA 94-08
Project: HX022 01C
Section: B-8 @ Araby Road

INTERGOVERNMENTAL AGREEMENT

BETWEEN
THE STATE OF ARIZONA
AND
YUMA COUNTY, ARIZONA

THIS AGREEMENT is entered into 15 July, 1994,
pursuant to Arizona Revised Statutes, Sections 11-951 through
11-954, as amended, between the STATE OF ARIZONA, acting by and
through its DEPARTMENT OF TRANSPORTATION (the "State") and YUMA
COUNTY, ARIZONA, acting by and through its BOARD OF SUPERVISORS
(the "County").

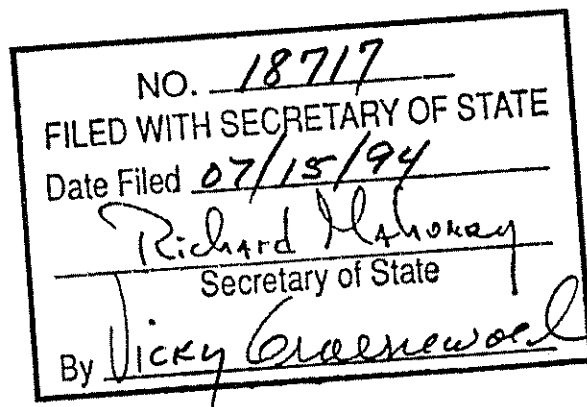
I. RECITALS

1. The State is empowered by Arizona Revised Statutes
Section 28-108 to enter into this agreement and has by
resolution, a copy of which is attached hereto and made a part
hereof, resolved to enter into this agreement and has delegated
to the undersigned the authority to execute this agreement on
behalf of the State.

2. The County is empowered by Arizona Revised Statutes
Section 11-251 to enter into this agreement and has by
resolution, a copy of which is attached hereto and made a part
hereof, resolved to enter into this agreement and has
authorized the undersigned to execute this agreement on behalf
of the County.

3. The State and the County desire to design, construct,
operate and maintain a new traffic signal light warranted on
State Route B-8 at the intersection of Araby Road, at an
estimated cost of \$115,000.00, hereinafter referred to as the
Project, for the safety and benefit of the motoring public.

THEREFORE, in consideration of the mutual agreements expressed
herein, it is agreed as follows:



II. SCOPE OF WORK

1. The State will:

a. Provide to State standards design plans, specifications and such other documents required for construction bidding and construction. Incorporate County review comments.

b. Call for bids and award one or more construction contracts for the Project. Administer same and make all payments to the contractor(s). Be responsible for any contractor claims for extra compensation attributable to the State.

c. When the Project is complete and functional invoice the County for one third of the cost of the Project, estimated at \$38,333.00.

d. Upon completion approve and accept the Project on behalf of the parties hereto, and provide signal maintenance.

2. The County will:

a. Review the design documents and provide comments.

b. Within thirty days after receipt of an invoice, reimburse the State for one third of the cost of the Project, estimated at \$38,333.00.

c. Upon completion and acceptance of the Project by the State, provide electrical energy.

III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until completion of said Project and reimbursements; provided, however, that this agreement, except any provisions herein for maintenance and electrical energy, which shall be perpetual, but subject to State budgeting laws, may be cancelled at any time prior to the award of a construction contract, upon thirty (30) days written notice to the other party.

2. This agreement shall become effective upon filing with the Secretary of State.

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518.

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation
Joint Project Administration
205 south 17th Avenue, Mail Drop 616E
Phoenix, AZ 85007


Yuma County
County Engineer
198 So. Main Street
Yuma, AZ 85364

7. Attached hereto and incorporated herein is the written determination of each party's legal counsel that the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

YUMA COUNTY

STATE OF ARIZONA
Department of Transportation

By 
HAROLD ALDRICH, DIRECTOR
Department of Development Svcs.

By 
CHARLES K. EATON
State Traffic Engineer

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No. 7: Approve and authorize County Administrator to sign Purchase Requisition No. 16027 for the purchase of Office Furniture from WALSH BROTHERS OFFICE EQUIPMENT in the estimated amount of \$7,549.27 for the Recorder's Office (Funding: Recorder's Special Fund).

No. 8: Approve and authorize Chairman to sign a Professional Services Contract between Yuma County and PREVENTION AND INTERVENTION ASSOCIATES for Adult Education/Evening Support Programming in an amount not to exceed \$23,000 (effective September 1, 1993 to June 30, 1994) for the office of Adult Probation.

No. 9: Authorize County Administrator to Renew AIRCRAFT INSURANCE POLICY with AMERICAN EAGLE INSURANCE COMPANY; to increase liability limits of the policy from \$5 million of last year, to \$10 million; and to increase the premium payment from \$7,237 to \$10,868.

Item No. 11: Approve and authorize Chairman to sign Resolution No. 93-56 allowing the Public Works Department to acquire a Free Use Materials Site located at County 7th Street and Avenue 21E (Contract No. 3-07-34-L0875) from the United States Department of the Interior/Bureau of Reclamation.

Resolution No. 93-56 is recorded in the Yuma County Recorder's Office, Docket #1887, page #631.

Item No. 12: Approve and authorize Director of Development Services to enter into an Intergovernmental Agreement with the Arizona Department of Transportation to INSTALL TRAFFIC SIGNALS at OLD HIGHWAY 80 (SR B-8) and ARABY ROAD.

Item No. 13: Authorize staff to solicit a Request For Proposals to provide Equipment and/or Services for a PHOTOGRAPHIC PRISONER IDENTIFICATION SYSTEM for the Sheriff's Office/Adult Detention System, by a means that provides digitally recorded computer data as a source. (Funding: Jail Enhancement Fund No. 209-02-39500-8599.)

Item No. 14: Approve the Job Description for the approved and newly established class of Senior Accountant Position No. Z011-C, Salary Range FF: \$29,890-\$42,141/annum; and approve the recruitment thereof for the Finance Department.

Item No. 15: Approve request to Change Job Titles of the following positions for the Department of Development Services: 1) Change Job title of Civil Engineer I to Civil Engineering Assistant; 2) Change Civil Engineer II Class to Civil Engineer; and 3) Change Civil Engineer III Class to Senior Civil Engineer; and approve request to replace the existing job descriptions of these positions with the attached revised class specifications for the Department of Development Services.

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The Yuma County Board of Supervisors met in Regular Session on September 7, 1993 in the Auditorium of the Yuma County Administration Building located at 198 South Main Street in Yuma, Arizona. Chairman Prochaska and Supervisors McClendon, Pierce, Shipp and Cuming were present.

Also attending were County Administrator James R. Stahle, County Attorney David Ellsworth, and Recording Secretary Dunia Federico.

Supervisor McClendon moved to recess regular session and convene Executive Session. Motion was seconded by Supervisor Shipp and carried unanimously.

Following Executive Session which adjourned at 9:40 a.m., Regular Session was reconvened.

RECESS: 9:40 a.m.

RECONVENE: 9:51 a.m.

Chairman Prochaska led the Pledge of Allegiance.

Approve Executive Session minutes for Board of Supervisors' meetings held June 14, 1993 and June 21, 1993.

This item was continued until the later part of the meeting.

Approve Regular Session minutes for Board of Supervisors' meeting held August 16, 1993.

This item was continued until the later part of the meeting.

Approve Worksession minutes for Board of Supervisors' meeting held August 12, 1993.

Supervisor Shipp moved; Chairman Prochaska seconded; carried 4-0. Supervisor Pierce abstained from voting, since he was not present for this meeting.

Consent Items:

Supervisor Shipp moved to approve Consent Items, Nos. 6 through 26 with exception of Item Nos. 10 and 27; seconded by Supervisor Cuming and carried unanimously. The approved consent items are as follows:

No. 6: Approve and authorize County Administrator to sign Purchase Requisition No. A18249 for the Sheriff's Office for the purchase from OFFICE SOLUTIONS on Mohave Contract No. 070631701, of One (1) XEROX COPIER MODEL NO. 5365FIN and One (1) XEROX COPIER MODEL NO. 5320ZTA in the total amount of \$15,927 including tax. (Fund No. 100-02-390-00-8504).

APPROVAL OF THE YUMA COUNTY ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement between the STATE OF ARIZONA, acting through the DEPARTMENT OF TRANSPORTATION and YUMA COUNTY, and declare this agreement to be in proper form and within the powers and authority granted to the County under the laws of the State of Arizona.

DATED this 10 day of May, 1994.

Wm. Michael Smith

Deputy County Attorney



STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

GRANT WOODS
ATTORNEY GENERAL

1275 WEST WASHINGTON, PHOENIX 85007-2926

MAIN PHONE : 542-5025
TELECOPIER : 542-4085


INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A. G. Contract No. KR94-0164-TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. §11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 8th day of July, 1994.

GRANT WOODS
Attorney General


JAMES R. REDPATH
Assistant Attorney General
Transportation Section

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